

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWARD THOMAS KENNEDY,  
Plaintiff,

Case No. 18-cv-977 (CDJ)

v.

JOSEPH N. HANNA, et. al.,  
Defendants.

MEMORANDUM IN SUPPORT OF PLAINTIFF'S MOTION TO DISQUALIFY  
DEFENDANT'S ATTORNEY FOR MISREPRESENTATION

Introduction

1. Plaintiff is Edward Thomas Kennedy, hereinafter "Plaintiff" and/or "Kennedy," one of the people of Pennsylvania, and in this court of record moves for an order granting a Plaintiff's Motion to Disqualify Defendant's Attorney for Misrepresentation.

2. The Government exceeded its jurisdiction and because the government and its employees exceeded its jurisdiction, Plaintiff Kennedy became injured in loss of Rights.

3. Modern Attorneys take oaths not to mislead, not to lie, not to misconstrue, not to misrepresent and/or put false information into courts of law.

Law of the Case

4. Law of the case is Exhibit 1, previously filed in this case, and includes Federal Rules of Civil Procedure (FRCP).

5. Modern Attorney David J. Backenstoe represents Defendants County of Lehigh, Phillips Armstrong, Joseph N. Hanna, John Doe One and John Doe Two, the government and its employees. Through the courts, Plaintiff encourages the government to obey the law.

#### First Misrepresentation

6. Modern Attorney David J. Backenstoe testified that his address is at 17 South 7th Street, Allentown, PA 18101, but misrepresents his address on the The Disciplinary Board of the Supreme Court of Pennsylvania website as follows:

148 MAIN ST  
HELLERTOWN Pennsylvania 18055-1716.

#### Second Misrepresentation

7. Backenstoe violated FRCP 5.2 in ECF document 33, page 36, listing Kennedy's birth date. Backenstoe filed his paperwork by ECF and clicked the box that he complied with FRCP 5.2.

8. Backenstoe took an oath not to misrepresent or lie or misconstrue or misrepresent documents in this court and comply with the rules of this court.

9. Prima facie evidence of misrepresentation is that Backenstoe said he complied with FRCP 5.2 but did not comply with FRCP 5.2, and thus did not comply with rules of this court, and did not protect Kennedy. Backenstoe also misrepresented his address.

10. Motion to Disqualify Defendant's Attorney for Misrepresentation is proper in this case because of the following:

- a. Kennedy is one of the people of Pennsylvania,
- b. under our form of Government, all authority is vested in we the people,
- c. this is a court of record,
- d. Kennedy is entitled to privacy by right, by law, by tradition, and by the rules of this court,
- e. Backenstoe misrepresented under oath and violated Kennedy's rights,
- f. On 10/16/1987, Pennsylvania adopted the ABA Model Rules of Professional Conduct, Canon 9, which states the following: A LAWYER SHOULD AVOID EVEN THE APPEARANCE OF PROFESSIONAL IMPROPRIETY.

11. This Motion is based on the previous Notice and Demand to all defendants, pleadings and papers on file in this case, the partial summary-judgement evidence, previously filed in Exhibit 1 titled Law of the Case, in Exhibit 2, and in the included Memorandum in Support of Motion to Disqualify Defendant's Attorney for Misrepresentation.

WHEREFORE, Plaintiff requests the Judge assigned to this case in this court of record honor his fiduciary to the Plaintiff and grant Plaintiff's Motion to Disqualify Defendant's Attorney for Misrepresentation without delay.

Date: August 29, 2018

Respectfully submitted,

*/s/ Edward Thomas Kennedy* (seal)

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